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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/991,551	11/16/2001	Fuat J. Kerkinni	6627.02	4615

25763 7590 10/24/2003

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EXAMINER

ABEL JALIL, NEVEEN

ART UNIT	PAPER NUMBER
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2175

DATE MAILED: 10/24/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/991,551

Applicant(s)

KERKINNI, FUAT J.

Examiner

Neveen Abel-Jalil

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11/16/2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Joao (U.S. Patent No. 6,347,302 B1).

As to claim 1, Joao discloses a method for tracking usage information for equipment, the method comprising:

(a) electronically soliciting from a client personal usage information and business usage information for the equipment for one or more specified periods (See Joao column 3, lines 41-55, and see Joao column 5, lines 6-14 );

(b) electronically receiving and storing in a server the personal usage information and business usage information for the equipment for the one or more specified periods (See Joao column 9, lines 16-67, also see Joao claim 3 language);

(c) compiling total usage information for the one or more specified periods (See Joao column 9, lines 16-67, also see Joao column 10, lines 1-20, also see Joao column 11, lines 61-67, and see Joao column 12, lines 1-17);

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(d) generating a report for a reporting period by using the information received for the one or more specified periods, wherein the report provides details on total personal usage information and total business usage information for the reporting period (See Joao column 9, lines 16-67, wherein “reporting” reads on “statistical information”).

As to claim 2, Joao discloses comprising:

(a) providing a field for entering an identification number (See Joao figure 4A, 82, shows “identification number” represented by “individual/entity information”); and

(b) providing a field for entering a group number (See Joao column 12, lines 1-26, wherein “group” reads on “analogous classes”).

As to claim 3, Joao discloses wherein the act of electronically receiving the usage information from the client for the one or more specified periods further comprises electronically receiving the information over the Internet (See Joao column 9, lines 16-67, also see Joao claim 26 language, and see Joao column 5, lines 6-13).

As to claim 4, Joao discloses wherein the act of electronically receiving the usage information from the client for the specified period further comprises electronically receiving the information through a telephone interactive voice response system (See Joao column 17, lines 1-13).

As to claim 5, Joao discloses wherein the personal usage information and the business usage information relates to hours of use (See Joao claim 25 language, also see

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claim 3 language).

As to claim 6, Joao discloses wherein the usage information relates to usage information for leased vehicles (See Joao column 11, lines 32-60).

As to claim 7, Joao discloses wherein the act of electronically receiving the usage information from the client for the specified period further comprises providing separate fields for entering at least one member of a group comprising a current total distance driven, a business distance driven, a personal distance driven, and a client personal credit (See Joao claims 1-5 language).

As to claim 8, Joao discloses wherein the act of electronically receiving the usage information from the client for the specified period further comprises electronically receiving from the client at least one member of the group comprising the current total distance driven, the business distance driven, the personal distance driven (See Joao column 9, lines 16-25), and the client personal credit (See Joao column 10, lines 58-65).

As to claim 9, Joao discloses wherein the act of generating a report further includes tabulating the current total distance driven, the total business distance driven, the personal distance driven, and the personal credit for the specified period (See Joao column 9, lines 44-67, also see Joao claims 1-5 language).

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As to claim 10, Joao discloses wherein the act of reporting the processed information for the specified period further comprises reporting the usage information to the client upon demand (See Joao column 15, lines 49-65).

As to claim 11, Joao discloses wherein the act of reporting the processed information for the specified period further comprises reporting the usage information to the client at regular business intervals (See Joao column 11, lines 10-67).

As to claim 12, Joao discloses a method for tracking usage information for an automobile, the method comprising:

(a) electronically soliciting from a client personal usage information and business usage information for the automobile for one or more specified periods (See Joao column 3, lines 41-55, and see Joao column 5, lines 6-14 );

(b) electronically receiving and storing in a server the personal usage information and business usage information for the equipment for the one or more specified periods (See Joao column 9, lines 16-67, also see Joao claim 3 language);

(c) compiling total usage information for the one or more specified periods (See Joao column 9, lines 16-67, also see Joao column 10, lines 1-20, also see Joao column 11, lines 61-67, and see Joao column 12, lines 1-17);

(d) generating a report for a reporting period by using the information received for the one or more specified periods, wherein the report provides details on total personal usage information and total business usage information for the reporting period (See Joao

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column 9, lines 16-67, wherein “reporting” reads on “statistical information”).

As to claim 13, Joao discloses wherein the act of electronically receiving the usage information from the client for the specified period further comprises providing separate fields for entering at least one member of a group comprising a current total distance driven, a business distance driven, a personal distance driven, and a client personal credit (See Joao claims 1-5 language).

As to claim 14, Joao discloses wherein the act of electronically receiving the usage information from the client for the specified period further comprises electronically receiving from the client at least one member of the group comprising the current total distance driven, the business distance driven (See Joao column 9, lines 16-25), and the client personal credit (See Joao column 10, lines 58-65).

As to claim 15, Joao discloses wherein the act of generating a report further includes tabulating the current total distance driven, the total business distance driven, the personal distance driven, and the personal credit for the specified period (See Joao column 9, lines 44-67, also see Joao claims 1-5 language).

As to claim 16, Joao discloses wherein the act of reporting the processed information for the specified period further comprises reporting the usage information to the client upon demand (See Joao column 15, lines 49-65).

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As to claim 17, Joao discloses wherein the act of reporting the processed information for the specified period further comprises reporting the usage information to the client at regular business intervals (See Joao column 11, lines 10-67).

As to claim 18, Joao discloses a method for tracking usage information for equipment using a server, a communication pathway, a user interface device, and a client database, the server including at least one software program (See Joao column 16, lines 1-67), the method comprising:

(a) electronically soliciting from a client personal usage information and business usage information for the equipment for one or more specified periods (See Joao column 3, lines 41-55, and see Joao column 5, lines 6-14 );

(b) electronically receiving and storing in a server the personal usage information and business usage information for the equipment for the one or more specified periods (See Joao column 9, lines 16-67, also see claim 3 language);

(c) compiling total usage information for the one or more specified periods (See Joao column 9, lines 16-67, also see Joao column 10, lines 1-20, also see Joao column 11, lines 61-67, and see Joao column 12, lines 1-17);

(d) generating a report for a reporting period by using the personal usage and business usage information received for the one or more specified periods, wherein the report provides details on total personal usage information and total business usage information (See Joao column 9, lines 16-67, wherein “reporting” reads on “statistical information”).



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As to claim 19, Joao discloses wherein the act of electronically receiving the usage information from the client for the one or more specified periods further comprises electronically receiving the information over the Internet (See Joao column 5, lines 6-13).

As to claim 20, Joao discloses wherein the act of electronically receiving the usage information from the client for the specified period further comprises electronically receiving the information through a telephone interactive voice response system (See Joao column 17, lines 1-13).

As to claim 21, Joao discloses wherein the personal usage information and the business usage information relates to hours of use (See Joao claim 25 language, also see claim 3 language).

As to claim 22, Joao discloses wherein the usage information relates to usage information for leased vehicles (See Joao column 11, lines 32-67).

As to claim 23, Joao discloses wherein the act of electronically receiving the personal and business usage information from the client for the specified period further comprises providing separate fields for entering at least one member of the group comprising a current total distance driven, a business distance driven, a personal distance driven, and a client personal credit (See Joao claims 1-5 language).

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As to claim 24, Joao discloses wherein the act of electronically receiving the usage information from the client for the specified period further comprises electronically receiving from the client at least one member of the group comprising the current total distance driven, the business distance driven (See Joao column 9, lines 16-25), and the client personal credit (See Joao column 10, lines 58-65).

As to claim 25, Joao discloses a system for tracking usage information for equipment, the system comprising:

- (a) a user interface device (See Joao column 16, lines 56-65, wherein “user interface device” reads on “personal computer”);
- (b) a server adapted to electronically receive from the user interface device, process, and retrieve usage information (See Joao column 5, lines 41-67);
- (c) at least one software program resident in the server, the at least one software program executed by a processor to process requests and responses from the user interface device (See Joao column 16, lines 1-65);
- (d) a client database for storage of the usage information (See Joao column 7, lines 1-42); and
- (e) a communication pathway electronically linking the system server to the user interface device automobile (See Joao column 5, lines 6-13).

As to claim 26, Joao discloses wherein the at least one software program is executed by a processor to send information to a client (See Joao column 16, lines 1-65).

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As to claim 27, Joao discloses wherein the at least one software program is executed by a processor to compile and store information (See Joao column 5, lines 38-67).

As to claim 28, Joao discloses wherein the at least one software program is executed by a processor to generate reports (See Joao column 9, lines 44-67, wherein “reports” reads on “statistical information”).

As to claim 29, Joao discloses wherein the usage information relates to hours of use (See Joao claim 25 language, also see Joao claim 3 language).

As to claim 30, Joao discloses wherein the usage information relates to usage information for leased vehicles (See Joao column 9, lines 16-25, also see Joao column 7, lines 1-15).

As to claim 31, Joao discloses wherein the usage information comprises at least one member of the group comprising a current total distance driven, a business distance driven, a personal distance driven, and a client personal credit (See Joao column 6, lines 34-57).

As to claim 32, Pulliam et al. discloses a system for tracking usage information for an automobile, the system comprising:

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- (a) a user interface device (See Joao column 16, lines 56-65, wherein “user interface device” reads on “personal computer”);
- (b) a server adapted to electronically receive from the user interface device, process, and retrieve usage information relating to the automobile (See Joao column 5, lines 41-67);
- (c) at least one software program resident in the server, the at least one software program executed by a processor to process requests and responses from the user interface device (See Joao column 16, lines 1-65);
- (d) a client database for storage of the usage information relating to the automobile (See Joao column 7, lines 1-42); and
- (e) a communication pathway electronically linking the system server to the user interface device automobile (See Joao column 5, lines 6-13).

As to claim 33, Joao discloses wherein the at least one software program is executed by a processor to send information to a client (See Joao column 16, lines 1-65).

As to claim 34, Joao discloses wherein the at least one software program is executed by a processor to compile and store information (See Joao column 5, lines 38-67).

As to claim 35, Joao discloses wherein the at least one software program is executed by a processor to generate reports (See Joao column 9, lines 44-67, wherein

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“reports” reads on “statistical information”).

As to claim 36, Joao discloses wherein the usage information comprises at least one member of the group comprising a current total distance driven, a business distance driven, a personal distance driven, and a client personal credit (See Joao column 6, lines 34-57).

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

McGill (U.S. Patent No. 6,449,597 B1) teaches system for assembly and distribution of automobiles.

Berent et al. (U.S. Patent No. 6,00,6201) teaches electronic on-line motor vehicle auction.

Ehrman et al. (U.S. Patent No. 2001/0037298 A1) teaches fully automated rental vehicle system.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Neveen Abel-Jalil whose telephone number is 703-305-8114. The examiner can normally be reached on 8:00AM-4: 30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 703-305-3830. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Neveen Abel-Jalil  
October 16, 2003

*Charles Rones*  
**CHARLES RONES**  
**PRIMARY EXAMINER**